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La Jolla, CA 92038

USPTO
Commissioner of Patents and Trademarks
Attn: Examiner: Fineman, L.

re SN - 10/045,176

by fax: 703 746 9218
November 19, 2003

Dear Examiner Fineman,

I have reviewed this file carefully. My record shows that a response was prepared and timely filed on 5/20/2003. It was filed with a certificate of mailing in accordance with 37 CFR 1.8 and I believe it to be responsive and in proper order.

I have not received from you any notice of defect, deficiency or indication of non-responsiveness. The file does not reflect that either. Thus, I now assume the office never received the response.

In agreement with 37 CFR 1.8(b), I have now prepared a Notice of Mailing and transmit it herewith. I will send this Notice of Mailing by formal correspondence today. Please receive an advance copy of it be fax here following this letter.

If I can be of any further assistance, please let me know and I shall give the matter my immediate attention.

Sincerely,



Joseph Page

enclosure(s) (1)

Notice of Mailing

Copy of correspondence including Mailing Certificate 5/20/03

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In the United States Patent and Trademark Office

Group Art Unit: 2872
Examiner: Fineman, L.

In re Application of: Dunn, M.
Serial Number: 10/045,176
Filed: 01/11/2002

Date: November 19, 2003

NOTICE OF MAILING UNDER 37 CFR §1.8(b)

In prompt response to telephone inquiries, the Office will hereby take notice and be informed that a previous mailing or transmission of correspondence was made. A copy of that correspondence is enclosed herewith including the mailing certificate dated May 20, 2003.

The undersigned has personal knowledge the mailing was properly made. In accordance with the above cited section, please enter the correspondence and consider it timely filed. Any questions or issues arising from this notice should be immediately directed to our office.

Sincerely,



Joseph Page

enclosures (1)

Copy of Amendment w/mailing cert.

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PTO/SB/92 (12-87)

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In Re: Dunn, M.

Serial Number 10/045,176

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

on 05/20/03
Date


Signature

Joseph Page

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Amendment

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.